

### III. REMARKS

1. Claims 1-4, 7-11, 15, 17, 35, 36, 38-40, 42-44 and 47-51 remain in the application. Claims 5, 6, 12-14, 16, 18-34, 37, 41, 45, 46, and 52 have been cancelled without prejudice. Claims 53-61 are new. Claims 1-4, 7-11, 15, 17, 35, 36, 38-40, 42-44, and 47-51 have been amended.
2. The present claims, if allowed, would not improperly extend the right to exclude granted in US 6,678,361 ("the '361 patent"). The subject matter of the present claims is not disclosed in the '361 patent and the '361 patent and the present claims do not claim common subject matter.

The Examiner points out on page 2, Section B of the Office Action:

...the 361 taught the multimedia messaging service center of server sending a notification which provides the properties of message to the wireless terminal. It's clearly the property information stored in server.

In response, Applicant respectfully submits that the property information stored in the server of '361 is the property information of the message, whereas in independent claim 1 of the present application, the property information stored in the server is the property information of the wireless terminal. Therefore, the amended claims of the present application are clearly different from the claims of the '361 patent.

Amended claim 1 also states "identifying by said server at least one component of the multimedia message which the wireless terminal can handle according to the retrieved properties of the wireless terminal;" In '361 the terminal decides, based on its capabilities, the current user profile, and the properties of the message, how the received message should be handled. Therefore, this feature also distinguishes present claim 1 from the '361 patent.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Please charge Deposit Account No. 16-1350 \$460.00 for a two (2) month extension of time and \$810.00 for the RCE fee.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 50-1078.

Respectfully submitted,

  
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Date

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